DECISION SETTLES CHILDREN'S RIGHTS

Supreme Court Passes on the Legal Status of Issue of Polygamous Marriages.

TIME OF BIRTH FACTOR

May Inherit From Father if Born on or Before January 4, 1896.

Children of plural marriages bore in Utah on or before January 4, 1896, are given the capacity according to an opinion of the state supreme court handed down yesterday, to inherit property from the father as well as the mother, and to transmit property to the father and his heirs. This opinion, which affects hundreds of citizen of Utah, changes the existing rule that offspring of polygamous marriages be ing considered illegitimtae, comit m-

ing considered illegitimate, could reserve only from the mother and could transmit property only to the mother and their own offspring.

The supreme court's opinion was rendered in the case of Annie C. Rohwer against the district court of the First district; W. W. Mauchan, its presiding judge; Martha Anderson and L. W. Anderson the latter administrator of the cetate of Nephi P. Anderson. The plaintiff, maternal grandmother of Joseph Anderson, deceased sued for possession of nonperty which her grandson had owned and which on his death had come into possession of his father, Nephi P. Anderson. The decision of the lower court was in defendant's favor. fendant's favor.

Up to Highest Court.

The case came to the attention of the supreme court in the form of a petition for issuance of a writ of certiorari against Judge Maughap to compel him to certify to the supreme court a transcript of the proceedings in the estate of Joseph T. Anderson. The supreme court held that the action of the lower court was proper and quashed the alternative writ of certionari. Justice Straup concurred in the rari. Justice Straup concurred in the dismissal of the writ but in a separate epinion dissented from the method us-

opinion dissented from the method usin bringing the matter to the attention of the higher tribunal.

The opinion of the supreme court provides that public acknowledgment by the father of an offspring of a plural marriage, where the child bears its father's name and is received in the family as a member of same and a recognized son of his father may inherit the estate and in turn bequeath it to his descendants.

History of Case.

The history of the case on which this important ruling is based is as follows:
Annie C. Rohwer, plaintiff in the action, is mother of Maggie Rohwer, a plural wife of Nephi P. Anderson, now deceased. As a result of the union between Maggie Rohwer and Nephi P. Anderson a son, Joseph T. Anderson, was born.

Anderson a son, Joseph T. Anderson, was born.

Maggie Rohwer owned property in her own name and at her death she left it to her son, a minor. The child, before attaining his majority, died, leaving the estate which had come to him from his mother.

from his mother.

The estate was probated before Judge Maughan and in due course of time was ordered by the court to be distributed to the father of the deceased.

The property in question came into possession of the boy by deed from his mother before her death. But the conditions of the boy after the property of the boy after the property in the property of the boy after the property of the b

grandmother of the boy, after the property had been ordered distributed to the father, contested the action of the court on the ground that the estate should have come to her and not to the father, as the property title had been vested in the mother, who was the plural wife of the boy's father.

Issue as Raised.

The questions raised before the su-preme court on the action filed there were as to whether or not a child born of a plural union might inherit or receive property title and whether or not

The supreme court affirmed yester-day the judgment of the lower court in the suit of Nellie Bennett Stuart against John Douglas Pederson, in which plaintiff was awarded judgment for royalties on a shotgun patented by defendant. The plaintiff had financed the patenting of the year and the exthe patenting of the vun and the ex-ploitation of the invention and sued on a contract entitling her to a divi-

Toy Smith, an immale of the state prison, appeared yesterday before Judge F. C. Loofbourow to be arreigned on a charge of assault with a deadly weapon committed on tigs Bores a fellow prisoner. Smith asked that the court appoint an attorney for him and the court appoint an eligible of the ferness. Continuing the acceled to the request, continuing to appoint an eligible of the scales having a capacity of 200,000 at a failure, order an eligible over sentence for an office as similar to the one with which he now is charged.

With Dance Once More.

Employees of the local postoffice have scales were tested vested and found dance at Saliair, which will be given in the scales were tested vested and found dance at Saliair, which will be given in the scales were tested vested and found dance at Saliair, which will be given in the scales were tested vested and found dance at Saliair, which will be given in the scales were tested vested and found dance at Saliair, which will be given in the being pointed arrangements for their second dance at Saliair, which will be given in the scales were tested vested and found dance at Saliair, which will be given in the friends Monday evening.

Residence Robbe By priving open a wind the scales having a capacity of 200,000 pounds, which he scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, the scales having a capacity of 200,000 pounds, we have the scales having a capacity of 200,000 pounds, the scales having a capacity of 200,000 pounds, the scales having a capacity of 200,000 pounds

Great Promotion for Popular Salt Laker

JOSEPH H. YOUNG.



REQUEST FOR STAY DENIED BY COURT

Judge Marshall Disposes of Numerous Matters During Saturday's Session.

Several cases were disposed of or of the United States court for the district of Utah.

in the circuit court of appeals is de-cided was denied.

Roland Lee, a letter-carrier of Salt Lake City, who was charged with tak-ing money from a registered letter, was arraigned and pleaded not guilty.

"Mike" Miller, alias Alex Church, who was charged with unlawfully tak-

assets at \$131, which he claims are exday forencon

IN PREPARATION FOR

con a contract entitling her to a division of the royalities.

The supreme court reversed and remanded the suit of Jesse S. Richards against the Oregon Short Line Rail road company in which plaintiff had received a verdict for the value of two horses killed by a train.

Judgment for plaintiff for \$2114.45 convention of deligates from the states on onen accounts granted by the lower Judgment for plaintiff for \$2141.45 con open accounts granted by the lower court to the Ogden Packing & Provision company against the Toocle Meat & Storage company was affirmed by the subreme court.

Convict Arraigned.

Toy Smith, an impace of the state prison, appeared yesterday before 1 and 1 and

Joseph H. Young's Rise to Head of Hill Lines in Oregon Pleases Friends.

OR some weeks reports have been published of changes pending in the Hill system in Oregon, but not until Friday was it officially announced that Joseph H. Young, war this city, had been tendered the presidency and had accepted. The new position is one of which all the local friends of Mr. Young will take a certain pride, as it includes his elecconsidered by Judge John A. Marshall tion as president of the Spokane, Portland & Seattle railway, the Oregon ed. The bunch, of course, is abundant-Trunk railway, the Oregon Electric ly aware of this fact, and it does not Trunk railway, the Oregon Electric In the case of the Silver King Con Railway company, the United Railways solidated Mining company of Utah against the Silver King Coalition Eastern railway and The Dalles, Port-Mines company, an application on the land & Astoria Navigation company. Mines company, an application on the land & Astoria Navigation company, part of the complainants for a stay of These companies operate steam and electric systems and river steamers on the in the circuit court of appeals is decided was denied.

Mines company, an application on the land & Astoria Navigation company, and electric systems and river steamers on the Columbia, a total of more than 1000 miles, and lines are being constructed in other sections of Oregon, so the new president will have many matters of importance to at once engage his atten-

was arraigned and pleaded not guilty.

'Mike'' Miller, alias Alex Church, who was charged with unlawfully taking letters from a lock box in the postoffice at Bingham, also pleaded not guilty.

Mr. Young is a son of Judge Le Grand Young of this city and is known all over the country. He has had experience in many branches of transportation work. When he first started out, of the local started out, of the l ceive property title and whether or not he could transmit that estate to the father or the latter's estate and heirs. The facts show that Joseph T. An derson, the minor, was born prior to January 4, 1896, and thus came under the provisions of the legitimating act of the legislature.

The court holds that the intention of the white slave laws, was also charged with violation of the white slave laws, was arraigned and entered a plea of not the provisions arraigned and entered a plea of not the same under the legislature in passing this act was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was arraigned and entered a plea of not the same laws, was a sa

The court holds that the intention of the legislature in passing this act was to give such children to which it was applicable all the legal and of her rights enjoyed by children born of monogamous marriages. Holding this the court holds that the boy, though a minor, had the right to receive title from his mother to the property in question and the right to transmit that property, as his estate, upon death.

The right of the father, as the nearest relative, to receive such estate from the boy, though he were the son of a profit in the ground that the procedure in the distribution of a son's estate, where the mother is dead and the father is the nearest relative, should proceed the same as in any ordinary case of monogamous marriage.

Other Cases Decided.

The supreme court affirmed yesterday the judgment of the lower court in the suit of Nellie Bennett Start against John Douglas Pederson, in which plaintiff was awarded judgment as the court adjourned to make the plaintiff was awarded judgment as the passing this act was the plaintiff was awarded judgment as the court adjourned to meet Mon-

BUSY WEEK IS AHEAD CREDIT MEN MAKE FOR UTAH POLITICIANS SPLENDID SHOWING

Each to Hold a State

Convention.

FEDERAL GANG UNEASY OFFICERS

Principal Contest Will Be Over the Democratic National Committeeman.

Utah politicians and near-politicians will be busy this week. On Tuesday, in this city, will be held the Demoeratic state convention, which will tional convention in Baltimore and also Wednesday, at Provo, the Republican state convention will be held for the purpose of electing delegates to the Republican national convention at Chi-

Republican national convention at Chicago.

At the Democratic convention, the main fight will be over national committeeman, an office which is being strenuously sought by a number of the leading Democrats of the state. Each of the candidates for the position is being strongly backed and the fight promises to be an interesting one.

W. M. Roylance of Provo, who has been mentioned prominently in connection with the office of national committeema, said to The Tribune yesterday that he was not a candidate and could not accept the honor even were terday that he was not a candidate and could not accept the bonor even were it tendered to him unanimously. Mr. Roylance added, however, that he would like to go to Baltimore as a delegate to the national convention. As compared with this contest, the selection of delegates to the national convention will be a tame affair. Wilson and Clark are the leading candidates for presidential support, with Wilson apparently far in the lead, but so little interest is being taken in the matter that is canbeing taken in the matter that is can-not be accurately stated whether or not the New Jersey man will land.

Federal Bunch in Dilemma.

There is premise of an unusually in-teresting contest at Provo over the mat-ter of instructing the delegates. It is well known that the federal banch has found itself in a predicament. While found itself in a predicament. While Senator Smoot and the remainder of the congressional delegation should be for Roosevelt, because of the fact that he used his high office in order to prevent Smoot from being thrown out of the senate, they, together with the fedbunch, have switched ostensibly

Anybody who knows anything about the federal bunch, knows, of course, that it is for Taft only just as long as it believes that Taft can be nominated, and, whether instructed or not, if the bunch can prevail it would switch to Roosevelt, or any other probably accounted any control of the bunch can be considered to the control of the c switch to Roosevelt, or any other probably successful candidate at the national convention, if convinced that Taft could not be nominated. In view of all this, the federal bunch is in a dilemma. The bunch and its organ have been insisting that the delegates should be instructed for Taft, but this was before Roosevelt had shown any considerable strength. Now, the situation has changed and the bunch is in a quandary. If it instructs and votes for Taft in the national convention, and Roosevelt should be elected, the fat offices now held by the bunch and its haugers on would last about one minute after Roosevelt was inaugurated. The bunch of course, is abundant.

the state delegates for Taft, after which it will indorse the Taft adminis-tration, and leave the delegates free to hop with the nimble cat at Chicago, when it is ascertained just how this member of the feline species proposes

Borne Out by Fact.

This view is borne out by the fact that the Utah delegation was instructed for Rossevelt four years ago and switched to Taft, despite its instructions, when it became apparent that Rossevelt was out of the running. In this connection it might also be well to refer to the fact that W. D. Liv ingston, vice president of the Roosevelt club in Utah, who was then, as now, a Roosevelt supporter, had prepared a seconding speech, which he proposed to, but did not, fire off at the national

Livingston,' is thought still to be in annually.

"The Guinea Stamp" was the subhis possession, as good as new, and may yet come in bandy.

office, however, such action could not be taken, without openly insulting him and it is hardly believed that the fed-

o'clock Tuesday morning, with Richards of Ogden as temporary man. The Republican convention While the exceller

Will Leave for Boston.

md, Or peet to Kemsen R. Patten of the Commercial before club publicity burean, will leave Wednesday for Boston, Mass., where he will reside permanently. Massachusetts is Mr. Patten's natice state. A farewell party will be given in his honor by

Residence Robbed.

By prying open a window burgiars gained entrance to the rooms of T. C. Hand in the Hollywood apartments on East First South street yesterday morning and stole jewelry valued at \$100. The occupants of the apartment were not at home.

Democrats and Republicans Close of Fiscal Year of Utah Association Is Highly Satisfactory.

RE-ELECTED

Business Session Ends With Banquet Attended and Addressed by Governor.

The Utah Association of Credit Men closed one of the most successful fiscal years in its history with an claborate banquet attended by about 150 members elect delegates to the Democratic na- and guests at the Commercial club last night. The pleasant gathering was prewill elect a national committeeman. On ceded in the afternoon by the regular annual meeting of members, who elected officers and directors for the new term and selected delegates to represent Utah at the national convention of credit men to be held in Boston next

Favorable Report.

During the afternoon session reports from various departments showed that \$290,000 had been collected from 3300 accounts handled, amounting to \$300,000, while the handling of insolvent estates with total liabilities of \$400,000 had resulted in the payment in dividends of more than 50 per cent of the liability amount. An excellent report dends of more than 50 per cent of the liability amount. An excellent report also was made showing the work done by the association in prosecuting fraudulent debtors. A fund of \$10,000 has been maintained by the credit men for this feature and has accomplished splendid results. Fire protection also was discussed and was discussed, and merchants were urged to carry adequate insurance as an additional security to their business. The casting of ballots resulted in the re-election of all former officers, and

Arthur Parsons, who has served as head of the organization for the last

sons, which reviewed the history of the association since its establishment eleven years ago, showed an enrollment of 129, with an office force of eleven and four adjusters continuously in the field. It announced that the offices would be removed to the Walker building upon that structure's completion.

Wesley King presided at the banquet in the evening as toastmaster, being introduced by President Parsons. The speakers were Governor William Spry and the Rev. P. A. Simpkin. Will G.

Farrell was to have spoken, but was

Iv aware of this fact, and it does not propose to be caught napping. if it can avoid it. Therefore, it is believed, the bunch will make a bluff at instructing the state delegates for Taft, after which it will indorse the Taft administration of the lateness of the cused on account of the lateness of the hour when the ceremonies concluded.

Governor Is Optimist.

The governor spoke on "Public and Commercial Credit," and declared that it was largely due to the organized efforts of those who sat with him around the estive board that the permanency, safeness and sameness of business in Utah had won a place among industrial and financial captains of the country second to none. He spoke of eastern investments made here, of the development of resource, of the credit balance in the state treasury after lucting all bonded indebtedness and obligations and asked support to the proseconding speech, which he proposed to but did not, fire off at the national convention. This speech which is said to be the "best ever delivered by Mr. Livingston." is thought still to be the "best ever delivered by Mr. Livingston." is thought still to be the "best ever delivered by Mr. Livingston." is thought still to be the speech which is said to be the "best ever delivered by Mr. Livingston." is thought still to be the speech which is said to be the speech

ject of the address of the Rev. Mr. Simpkin. He said that the false, silken May yet come in handy.

At the Republican convention it is possible, but not probable, that a successor to Colonel C. E. Loose, as national committeeman, may be elected. As Colonel Loose has not resigned this office, however, such action could not the real temperors and kings with nothing but their outward appearances, were swept away, and that the day had dawned when only the real humanity, office, however, such action could not the real red-beating heart and the genoffice, however, such action could not be taken, without openly insulting him and it is hardly believed that the feducial bunch will go to this length. Colorel Loose has tendered his resignation as chairman of the Republican state committee, but his successor in that position will be chosen by the new Remosition will be chosen by the new Remosition will have nothing to do with the matter.

The Demogratic convention in this that counts. All that matters is the The Democratic convention in this that counts. All that matters is the city will meet at the Salt Lake theater gold in a man's manhood."

well received, among them being 'On the Road to Maudalay,'' 'Young Rich ard' and 'Believe Me if All Those Endearing Young Charms.'' Alvin Beesley was accompanist.

Beesley was accompanist.

An amusing burlesque called "A Special Session of the City Commission." was given by the Rev. P. A. Simpkin, J. A. A. Stanley, E. C. Schmidt, Wesley King, Gordon H. Place, Ernest J. Evans, B. S. Young and Carl R Williams, of the Press club. The vaudeville act of Nelson and Bogert, "The Lady and Minstrel Man." in "A Day With a Minstrel Show," from the Orpheum circuit, was produced by consent. sent.

Pioneer Woman Who Is Called To Other Side

DR. MARY P. SILVER.



HAND-CART VETERAN ANSWERS THE CALL

Dr. Mary P. Silver, Noted Mormon Woman, Dies at Age of 77.

After an liness of four months, Dr. Mary P. Silver, wife of William J. Silver, and a pioneer of Utah, died yesterday norning at her home, 65 West Fourth North street Mrs. Silver was 77 years of age. She had been on the verge of

Arthur Parsons, who has served as head of the organization for the last four years was re-elected president by acclamation. The other officers recelected are M. H. Sowles of Salt Lake, vice president. P. L. Doran of Salt Lake, vice president. P. L. Doran of Salt Lake, secretary and A. D. McMullen of Salt Lake, treasurer. The directors are Arthur Kuhn of Ogden, D. D. Smith of Ogden, J. T. Young of Poeatello, Joseph Johnson of Salt Lake, B. M. Sorenson are the only new directors chosen, all others having been re-elected.

Delegates Selected.

Delegates Selected.

Delegates Selected.

**The matter of choosing delegates to the national convention brought on a lively balloting, and resulted in the selection of Arthur Parsons, George E. Forrester, J. C. Deal, J. S. Barratt, J. T. Young, Walter Cluff, Joseph Siegel and C. R. Robbins. Mr. Forrester continues as manager of the association and the operating force remains unchanged. The report of President Parsons, George E. Sons, which reviewed the history of the association since its establishment eleven years ago, showed an enrollment of 129, with an office force of eleven of the famous and she gained an envisible record for ability and skill in medicine.

**British for many days and the end was not ages. She had been on the verge of death for many days and the end was not ages. She thad been on the verge of death for many was born in Medford, England, July 27, 1836. Early in life she was converted to Mormonism, and though only a young girl then she assumed a responsible position in the promulgation of the new religion in the promulgation of the many span in life and though young span in the eastern states she arrived in Salt Lake Decrember 2, 1856, commander to promulate the second of the Mormon church. Henry was deady to N.

FACE HALF-SHAVED

Fire Chief Bywater Leaves other things he reported the Barber Shop in a Big

Hurry.

Fire Chief W. H. Bywater went to a fire yesterday morning with one side of his face staved and the other covered with a good coat of lather. His prompt arrival and that of the motor apparatus from the central station, together with the crew from station 4, saved the beautiful home of W. P. Noble, 629 East South Temple street, from heavy damage, As it was, the flames licked up \$1700 worth of house and furnishings before they were brought under control.

Chief Bywater was being shaved in a barber shop close to headquarters when the alarm was turned in. His driver found him a few seconds later. The barber might have upheld the traditions of his trade of keeping right on shaving, but the chief was gone before he could finish honing the razor for the second lap.

The fire started from burning paper in a defective flue. When the department arrived the flames were licking the roof and much costly furniture and household.

BOY SCOUTS PLAN AN EXCLUSIVE CAMP

danaraprey, he see form an object density of the content of the co

FORMER SALT LAKER DIES IN KEY WEST

"Archie" McKay, well known in Sait Lake City twenty years ago, died last Sunday in Key West, Fis., according to Information received here yesterday by Rudolph Aiff. The brief message gaye no details, nave that the cause of death was cerebral hemorrhage. Mr. McKay was secretary to Mayor James Glendinning of this city, and his father, Judge two women on the street william McKay, was at that time city attorney. For several years past the decedent had followed the profession of the local controlled with a number of railroad on the cause may do so the connected with a number of railroad on the cause may do so the local controlled with a number of railroad on the cause may do so the local controlled with a number of railroad on the cause may do so the local controlled with a number of railroad on the cause may do so the local controlled with a number of railroad on the formation at the latest part of the cause may do so the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a number of railroad on the local controlled with a local controlled w

WRITES CONCE

Junius Romney Stake Communicat

DETAILS OF THE

Mexican Named Cess zalez Is Charged

Diaz by Mexican bandib munication having been

charge of the hearing were sope with the riotous who were drinking and

murder for the purpose uiry as to the circum rounding the tragedy. The made report to the govern spector at Ascencion, and dicital Mr. Romney says:

"I was greatly impressed a simple and honest way in the man, standing in rags told to the inspector, and also by homent manner in which they denounced to him the attilead class, who were willing to the class. class, who were willing to class, who were willing to credit to an entire neople to their own selfish ends. As maway the inspector said to me take steps to see that all of loons, if possible, are closed least that all are except one.

Autopsy Is Ordered.

"We had been delighted morning to find that Edmusd son had arrived in response gram sent to him at Cuded the bishop at the same in Harvey, and I was asked them, with the following restricted times, any one of would probably have been would probably have been in of the shots were from fund. The one which stuck fund doubt while he was standing ning, struck him just a mit the heart, and taking a dire through the body probable to lowest extremity of the heart.

"The last two shots range would in such a way as to learn the standing through the body probable to the standing through the beautiful through the body probable to the standing through the standing thr

evidence that both we victim had fallen. haps two inches from the first. to take effect had been fired muzzle of the gun close to as was evidenced by the fact

the eyes and had emerged at right ear, breaking the ecolal right eye and cousing it to a Bosides this he had some all on his bands, as though he bi struck with the shovel which carried in his hand."

Report of Comisario

The comisario was reported in tigations to the inspector at A said that Harvey had been b

ing:
"According to the stateaut sons of the dead man who so ent at the time of the killing, it had taken either one of the vey had taken either one of —I am not sure which—from as where they had been treased the house of Genzales to dain to him. Genzalez came out of the

SUMMONS RECEIVED BY PIONEER WO

Mrs. Agnes C. Calid, againg resident of Sait Lake since yesterday morning of general the home of her daughter. Mrs. L. Phelips, 431 Eighth scenes, was born in Scotland in 182 Mrs. Child was married transcrived by the following caller survived by the following call

FOR FREE HOS